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Atty. Dkt. No. 029815-0104

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrick J. Sweeney

Title: METHOD AND DEVICE FOR
DELIVERING MEDICINE TO
BONE

Appl. No.: 10/682,307

Filing Date: 10/09/2003

Examiner: Eduardo Robert

Art Unit: 3732

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below. <u>Kathryn E. Cox</u> (Printed Name) <u>Kathryn E. Cox</u> (Signature) <u>December 27, 2004</u> (Date of Deposit)
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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of the non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b)(3), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

No fees are believed due for this filing. However, should a fee be due, the Commissioner is hereby authorized to charge any additional fees which may be required under 37 CFR §§ 1.16-1.17 to Deposit Account No. 50-2350.

Respectfully submitted,

Date December 27, 2004

By Kathryn E. Cox

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Form PTO-1449 (MODIFIED)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 029815-0104		SERIAL NO. 10/682,307		
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				APPLICANT Patrick J. Sweeney				
				FILING DATE 10/09/2003		GROUP ART UNIT 3732		
U.S. PATENT DOCUMENTS								
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE	
		4,399,814	Aug. 23, 1983	Pratt Jr., et al.				
		4,653,489	Mar. 31, 1987	Tronzo				
		6,048,343	Apr. 11, 2000	Mathis, et al.				
		6,210,376	Apr. 3, 2001	Grayson				
FOREIGN PATENT DOCUMENTS								
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)								
		Copy of International Search Report and Written Opinion for PCT/US04/22884; mailed December 10, 2004						
EXAMINER				DATE CONSIDERED				
* EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.								